

State of South Dakota

EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

543Q0412

SENATE BILL NO. 115

Introduced by: Senators Hanson (Gary), Abdallah, Bartling, Fryslye, Haverly, Heidepriem, Howie, Kloucek, Peterson, Rhoden, and Vehle and Representatives Noem, Burg, Dennert, Feinstein, Juhnke, Pitts, Rausch, Street, and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the initiation of
2 modifications to county comprehensive plans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-2-28 be amended to read as follows:

5 11-2-28. The plan, ordinances, restrictions, and boundaries adopted pursuant to this chapter
6 may be amended, supplemented, changed, modified, or repealed by action of the board. Any
7 such modification or repeal shall be proposed in a resolution or ordinance, as appropriate,
8 presented to the board for adoption in the same manner and upon the same notice as required
9 for the adoption of the original resolution or ordinance. The amendment, supplement, change,
10 modification, or repeal may be requested through a petition by thirty percent of the landowners
11 registered to vote in the zoning district or districts requesting change. For purposes of this
12 section, the term, landowner, means any person who owns land in the county as evidenced by
13 records in the offices of the register of deeds and clerk of courts. If land is sold under a contract
14 for deed that is of record in the office of the register of deeds in the county, both the landowner



1 and the individual purchaser of the land, as named in the contract, are treated as landowners.